

FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

JOHN B. O'NEILL

Claim No. CU-8463

Decision No. CU 4574

Under the International Claims Settlement  
Act of 1949, as amended

PROPOSED DECISION

Claimant, JOHN B. O'NEILL, asserts a claim under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of the assets of the corporation Cia. Azucarera Vertientes-Camaguey de Cuba, in which his predecessor in interest owned a stock interest.

In our decision entitled the Claim of Ruth Anna Haskew (Claim No. CU-0849 which we incorporate herein by reference), we held that the properties owned by the Company were nationalized or otherwise taken by the Government of Cuba on August 6, 1960, and that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per share of \$46.3946.

Evidence of record establishes and the Commission finds that on and prior to August 6, 1960, the late Carol B. O'Neill, a national of the United States from her birth on October 5, 1882, until her death on September 5, 1964, owned 50 shares of Cia. Azucarera Vertientes-Camaguey de Cuba stock and that she suffered a loss in the amount of \$2,319.73 within the meaning of Title V of the Act on August 6, 1960, the date when the said corporation was nationalized by the Government of Cuba. Upon her death on September 5, 1964, her claim for compensation was inherited by the claimant, JOHN B. O'NEILL, a national of the United States since his birth on February 1, 1910.

On the basis of evidence of record, the Commission finds that this claimant comes within the terms of the Haskew decision (supra); and concludes that he is entitled to certification of his loss under Title V of the Act in the amount of \$2,319.73. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from August 6, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See Haskew, supra.)

CERTIFICATION OF LOSS

The Commission certifies that JOHN B. O'NEILL suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Two Thousand Three Hundred Nineteen Dollars and Seventy-Three Cents (\$2,319.73) with interest thereon at 6% per annum from August 6, 1960, to the date of settlement.

Dated at Washington, D. C.  
and entered as the Proposed  
Decision of the Commission

MAR 4 1970

*Lyle S. Garlock*  
Lyle S. Garlock, Chairman

*Theodore Jaffe*

Theodore Jaffe, Commissioner

*Sidney Freidberg*

Sidney Freidberg, Commissioner

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimant establishes retention of the securities or the loss here certified.

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)

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